UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

CHAND & SAAJ HOSPITALITY, LLC d/b/a RAMADA INN LTD, AIRPORT,

Plaintiff.

v.

Case No. 13-CV-00412-F

WESTERN HERITAGE INSURANCE COMPANY,

Defendant.

JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff and Defendant hereby stipulate that the above-entitled action shall be dismissed without prejudice as to all of Plaintiff's claims against Defendant. Each party shall bear its own costs of court.

Dated: July 29, 2012.

/s/ William A. Kendall

William A. Kendall
Peter A. Erdoes, OBA #11298
Smith Kendall, PLLC
9400 N. Central Expy., Ste. 910
Dallas, Texas 75231
(214) 361-6124
(214) 361-61260 (fax)
wk@smith-kendeall.com
peter.erdoes@gte.net

ATTORNEYS FOR PLAINTIFF

/s/ Michael L. Carr

Michael L. Carr, OBA #17805 Gus H. Buthman, OBA #22089 First Place 15th East 5th Street Suite 3900 Tulsa, Oklahoma 74103 (918) 295-8888 (918) 295-8889 (fax)

<u>MikeCarr@HoldenLitigation.com</u> <u>GusButhman@HoldenLitigation.com</u>

ATTORNEYS FOR DEFENDINAT